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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAYMOND CLARK Plaintiff,

vs.

JOHN F. SHUECK Defendant.

CASE NO. CV08-02547 JW

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

I, Raymond Clark, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

1 If the answer is "no," state the date of last employment and the amount of the gross and net
 2 salary and wages per month which you received. (If you are imprisoned, specify the last
 3 place of employment prior to imprisonment.)

4 N/A

5 _____
 6 _____
 7 2. Have you received, within the past twelve (12) months, any money from any of the
 8 following sources:

9 a. Business, Profession or Yes ___ No X
 10 self employment

11 b. Income from stocks, bonds, Yes ___ No X
 12 or royalties?

13 c. Rent payments? Yes ___ No X

14 d. Pensions, annuities, or Yes ___ No X
 15 life insurance payments?

16 e. Federal or State welfare payments, Yes ___ No X
 17 Social Security or other govern-
 18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
 20 received from each.

21 _____
 22 _____

23 3. Are you married? Yes ___ No X

24 Spouse's Full Name: _____

25 Spouse's Place of Employment: _____

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ _____ Net \$ _____

28 4. a. List amount you contribute to your spouse's support: \$ _____

- b. List the persons other than your spouse who are dependent upon you for support and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

NA

5. Do you own or are you buying a home? Yes ___ No ☒

Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6. Do you own an automobile? Yes ___ No ☒

Make _____ Year _____ Model _____

Is it financed? Yes ___ No ☒ If so, Total due: \$ _____

Monthly Payment: \$ _____

7. Do you have a bank account? Yes ___ No ☒ (Do not include account numbers.)

Name(s) and address(es) of bank: _____

Present balance(s): \$ _____

Do you own any cash? Yes ___ No ☒ Amount: \$ _____

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ___ No ☒

8. What are your monthly expenses?

Rent: \$ _____ Utilities: _____

Food: \$ _____ Clothing: _____

Charge Accounts:

| Name of Account | Monthly Payment | Total Owed on This Acct. |
|-----------------|-----------------|--------------------------|
| <u>NA</u> | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |
| _____ | \$ _____ | \$ _____ |

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

VOID ORDER OF RESTITUTION - BEING CONTESTED
ON DIRECT APPEAL IN VIOLATION 18 U.S.C. § 3663 et seq.

10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ☐ No ☒

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

July 15, 2008

DATE

Raymond Clark

SIGNATURE OF APPLICANT

SEE EXHIBIT #1

INDEX TO APPENDIX

EXHIBIT # 1- CURRENT TRUST ACCOUNT
PRINT-OUT

EXHIBIT # 1-(b) Six Month Trust Account
PRINT-OUT

EXHIBIT # 1-(c) CERTIFICATION OF FUNDS

EXHIBIT

EXHIBIT

/

REPORT ID: TS3030 .701

REPORT DATE: 07/11/08
PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
CALIF. STATE PRISON CORCORAN
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: APR. 01, 2008 THRU JUL. 11, 2008

ACCOUNT NUMBER : D99370
ACCOUNT NAME : CLARK, RAYMOND
PRIVILEGE GROUP: B
BED/CELL NUMBER: 3C0100000000214L
ACCOUNT TYPE: I

TRUST ACCOUNT ACTIVITY

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

CURRENT HOLDS IN EFFECT

| DATE PLACED | HOLD CODE | DESCRIPTION | COMMENT | HOLD AMOUNT |
|----------------|--------------|-------------------|------------|-------------|
| 06/24/2008 | H118 | LEGAL COPIES HOLD | 5063 06 20 | 3.50 |
| 07/03/2008 | H118 | LEGAL COPIES HOLD | 0048 06 25 | 9.70 |

TRUST ACCOUNT SUMMARY

| BEGINNING BALANCE | TOTAL DEPOSITS | TOTAL WITHDRAWALS | CURRENT BALANCE | HOLDS BALANCE | TRANSACTIONS TO BE POSTED |
|----------------------|-------------------|----------------------|--------------------|------------------|------------------------------|
| 0.00 | 0.00 | 0.00 | 0.00 | 13.20 | 0.00 |

CURRENT
AVAILABLE
BALANCE

13.20-

Exhibit #1

EXHIBIT

EXHIBIT

1 (b)

REPORT ID: TS3030 .701

REPORT DATE: 06/24/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
NORTH KERN STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU JUN. 24, 2008

ACCOUNT NUMBER : D99370 BED/CELL NUMBER:
ACCOUNT NAME : CLARK, RAYMOND ACCOUNT TYPE: T
PRIVILEGE GROUP:

TRUST ACCOUNT ACTIVITY

| DATE | CODE | DESCRIPTION | COMMENT | CHECK NUM | DEPOSITS | WITHDRAWALS | BALANCE |
|------------|------|-------------------|------------|-----------|----------|-------------|---------|
| 02/01/2008 | | BEGINNING BALANCE | | | | | 0.00 |
| 02/22*DD30 | | CASH DEPOSIT | 2483LAJAIL | | 0.02 | | 0.02 |
| 02/27 W502 | | POSTAGE CHARG | 2552/POSTA | | | 0.02 | 0.00 |

* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 07/30/90 CASE NUMBER: A987168
COUNTY CODE: LA FINE AMOUNT: \$ 100.00

| DATE | TRANS. | DESCRIPTION | TRANS. AMT. | BALANCE |
|------------|--------|-----------------------|-------------|---------|
| 02/01/2008 | | BEGINNING BALANCE | | 97.54 |
| 02/22/08 | DR30 | REST DED-CASH DEPOSIT | 0.01- | 97.53 |

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
* IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

TRUST ACCOUNT SUMMARY

| BEGINNING BALANCE | TOTAL DEPOSITS | TOTAL WITHDRAWALS | CURRENT BALANCE | HOLDS BALANCE | TRANSACTIONS TO BE POSTED |
|----------------------|-------------------|----------------------|--------------------|------------------|------------------------------|
| 0.00 | 0.02 | 0.02 | 0.00 | 0.00 | 0.00 |

CURRENT
AVAILABLE
BALANCE

0.00

THE WITHIN INSTRUMENT IS A CORRECT
COPY OF THE TRUST ACCOUNT MAINTAINED
BY THIS OFFICE.
ATTEST:
CALIFORNIA DEPARTMENT OF CORRECTIONS
BY *[Signature]*

Exhibit 71 (b)

REPORT ID: TS3030 .701

REPORT DATE: 06/24/08

CALIFORNIA DEPARTMENT OF CORRECTIONS

NORTH KERN STATE PRISON

INMATE TRUST ACCOUNTING SYSTEM

INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: FEB. 01, 2008 THRU JUN. 24, 2008

TOTAL NUMBER OF STATEMENTS PRINTED: 1

TOTAL CURRENT BALANCE FOR ALL THE STATEMENTS: 0.00

EXHIBIT

EXHIBIT

1 (a)

Case Number: 08 2547 JW (PR)

CERTIFICATE OF FUNDS
IN
PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of Raymond Clark for the last six months

North Kern State Prison where (s)he is confined.
[prisoner name]
[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$.02 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 0.

Dated: 6-23-08

[Signature]
[Authorized officer of the institution]

Exhibit # 1 (CJ)

VERIFICATION

STATE OF CALIFORNIA
COUNTY OF KINGS

(C.C.P. SEC. 446 & 2015.5; 28 U.S.C. 1746)

I, Raymond Clark DECLARE UNDER PENALTY OF PERJURY THAT:
I AM THE PLAINTIFF IN THE ABOVE ENTITLED ACTION. I HAVE
READ THE FOREGOING DOCUMENTS AND KNOW THE CONTENTS THEREOF AND
THE SAME IS TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO MATTERS STATED
THEREIN UPON INFORMATION, AND BELIEF, AND AS TO THOSE MATTERS, I
BELIEVE THEM TO BE TRUE.

EXECUTED THIS 16th DAY OF July 2008
AT CORCORAN, CALIFORNIA.

(SIGNATURE) Raymond Clark

(DECLARANT/PRISONER)

PROOF OF SERVICE BY MAIL

(C.C.P. SEC. 1013 (a) & 2015.5; 28 U.S.C. SEC. 1746)

I, Raymond Clark AM A RESIDENT OF
STATE OF CALIFORNIA, I AM OVER THE AGE OF
EIGHTEEN (18) YEARS OF AGE AND AM / A PARTY OF THE ABOVE INTITLED
ACTION. MY ADDRESS IS P.O. BOX 3471, CORCORAN, CA. 93212.

ON July 16 2008 IS SERVED THE FOREGOING,

28 U.S.C.A. § 1915 Informing Prisoner's Package

(SET FORTH EXACT TITLE OF DOCUMENTS SERVED)

ON THE PARTY(S) HEREIN BY PLACING A TRUE COPY(S) THEREOF, ENCLOSED IN A
SEALED ENVELOPE(S), WITH POSTAGE THEREON FULLY PAID, IN THE UNITED STATES
MAIL, IN A DEPOSIT BOX SO PROVIDED AT CORCORAN STATE PRISON.

NORTHERN DISTRICT COURT
450 GOLDEN GATE AVE
SAN FRANCISCO, CA. 94102

THERE IS DELIVERY SERVICE BY UNITED STATES MAIL AT THE PLACE SO ADDRESSED,
AND THERE IS REGULAR COMMUNICATION BY MAIL BETWEEN THE PLACE OF MAILING
AND THE PLACE SO ADDRESSED, I DECLARE UNDER PENALTY OF PERJURY THAT THE
FOREGOING IS TRUE AND CORRECT.

DATE: July 16 2008

Raymond Clark
(DECLARANT/PRISONER)

RECEIVED CLACK 7-9-08
Box 3471, 361-214-1
Concoran, CA 93212

STATE
PRISON
CORCORAN

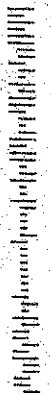
UNITED STATES COURTHOUSE
450 Golden Gate Avenue
San Francisco, CA 94102

RECEIVED
JUL 21 2008
RICHARD W. WIERING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
[Signature]

CONCORAN STATE PRISON
KVSPIFGAL MAIL
07/17/2008
Mailed From 93212
US POSTAGE

Local Mail

Concoran State Prison 3471 (C)



8/16/08
[Signature]
[Signature]